

Part 15

Moratorium on Involuntary Termination of Utility Services

35A-8-1501 Moratorium on involuntary termination for nonpayment of utility bills -- Eligibility criteria -- Department to establish and certify.

- (1)
 - (a) The department shall establish a program for a seasonal moratorium for involuntary termination for nonpayment by residential customers of essential utility bills.
 - (b) An essential utility is a utility regulated by the Public Service Commission under Title 54, Public Utilities, which is in the business of the retail distribution of electricity or natural gas.
 - (c) A residential customer is a customer defined as in a residential class by the Public Service Commission.
- (2) A residential customer shall meet the following criteria to qualify for the program:
 - (a) gross household income is less than 125% of the federal poverty level or the household has suffered a medical or other emergency, loss of employment, or is experiencing other circumstances which have resulted in a substantial loss of income;
 - (b) the customer has made application to public and private energy assistance programs;
 - (c) the customer is willing to make a good faith effort to pay these utility bills on a consistent basis; and
 - (d) any additional information required by the department.
- (3)
 - (a) A residential customer may file with a local department office an affidavit attesting eligibility under the criteria in Subsection (2).
 - (b) The department shall certify that the customer has met the eligibility requirements and forward a copy of the affidavit to the effected utility.

Renumbered and Amended by Chapter 212, 2012 General Session

35A-8-1502 Contesting a customer's eligibility -- Department to determine case.

When a utility contests the eligibility of any residential customer to participate in the program, the executive director or the executive director's designee shall act as an administrative law judge to make a determination on the case.

Renumbered and Amended by Chapter 212, 2012 General Session

35A-8-1503 Premoratorium customers' eligibility for moratorium -- Criteria.

A residential customer that has had service of an essential utility discontinued for nonpayment prior to the time the moratorium takes effect shall have service restored and continued during the period of the moratorium if the customer meets the requirements of Section 35A-8-1501 and the customer has entered into a deferred payment agreement with the utility as to arrearages.

Renumbered and Amended by Chapter 212, 2012 General Session

35A-8-1504 Effective period of moratorium -- Extension by rule.

- (1) The moratorium shall be in effect from November 15 to March 15 of each year.
- (2) The department may, by rule, begin the moratorium at an earlier date or extend it to a later date when severe weather conditions warrant that action.

Renumbered and Amended by Chapter 212, 2012 General Session